

## RESERVATION ROSTER FOR SC/ST: POLITY

**NEWS:** In a first, SC comes out with roster specifying post-wise quota for SC, ST staff

### WHAT'S IN THE NEWS?

The Supreme Court has implemented a post-based reservation system for SC/ST staff in its administration, aligning with the 1995 *R.K. Sabharwal vs State of Punjab* judgment. This ensures reservation is linked to specific posts rather than vacancies, and applies to both recruitment and promotions with defined quotas.

#### 1. Context and Supreme Court's Initiative

- The **Supreme Court of India** has adopted a **Model Reservation Roster** to institutionalize and streamline reservation for **Scheduled Castes (SCs)** and **Scheduled Tribes (STs)** in **recruitment and promotions**.
- This decision adheres to the landmark **R K Sabharwal vs. State of Punjab (1995)** ruling, which clarified the **post-based system** of reservation instead of the vacancy-based approach.

#### 2. What Is a Post-Based Reservation System?

- Under the **post-based system**, **each post is earmarked** for a particular category (General, SC, ST, OBC), and the category does **not change with each recruitment cycle**.
- The reservation applies to **posts** in an establishment, not to **vacancies** arising in any given year.
- Once a post is **reserved and filled**, it remains so even after the **retirement or promotion** of the incumbent.

#### 3. Key Features of the Supreme Court's Model Roster

- The **Model Reservation Roster and Register** was notified via an **internal circular** on the Supreme Court's internal platform SupNet.
- Applies to **all levels of court staff** — from high-ranking officers (Registrar) to Class IV staff (Peons).
- **Direct recruitment and promotions** have **separate rosters**, maintaining category-specific representation at both entry and upward levels.

#### Specific Highlights:

- **SC/ST representation in direct recruitment** will be maintained according to their entitlement.
- **STs are entitled to 7.5% reservation in promotions** as per existing policy.
- Staff have been invited to **submit objections or feedback** to the **Registrar (Recruitment)**.
- The **200-Point Roster System** has been adopted for systematic implementation across levels.

#### 4. Importance of the 200-Point Roster System

- A structured system to allocate **reserved and unreserved posts** in a recurring cycle of 200 appointments/promotions.
- Ensures **transparency**, avoids **ad hoc decisions**, and supports **backlog clearance** in SC/ST posts.
- Useful in **large organizations** like the judiciary, universities, and government departments to track compliance.

#### 5. R K Sabharwal vs. State of Punjab (1995): Constitutional Bench Ruling

- Supreme Court ruled that **reservations must be post-based** rather than vacancy-based.
- Clarified that:
  - Once a post is **reserved and filled**, it stays reserved.
  - **New appointments** should not disturb the category allotment.
  - **Separate rosters** are required for **direct recruitment and promotions**.

#### 6. Key Constitutional Provisions on Reservation

Article	Provision
15(4)	Enables the State to make special provisions for socially and educationally backward classes in education.
16(4)	Permits reservation in public employment for backward classes inadequately represented in state services.
16(4A)	Allows for reservation in promotions for SCs/STs, with consequential seniority.
16(4B)	Permits <b>carry-forward of unfilled reserved vacancies</b> to future years, ensuring 50% ceiling is not breached in any one year.
Article 335	Mandates that claims of SC/STs be considered while ensuring <b>administrative efficiency</b> ; allows <b>relaxation in qualifying marks</b> for promotions.

#### 7. Recent Supreme Court Judgments on Reservation in Promotions

##### A. Jarnail Singh v. Lachhmi Narain Gupta (2018)

- Held that **quantifiable data on backwardness is not required** to give promotions to SC/ST employees.
- Reiterated that **evidence of inadequate representation** and **administrative efficiency** is sufficient for providing such promotions.

##### B. Mukesh Kumar v. State of Uttarakhand (2020)

- Clarified that **Articles 16(4) and 16(4A)** are **enabling provisions**, not **fundamental rights**.
- States are **not bound** to provide reservations unless conditions (like underrepresentation) justify it.

- There is **no right to claim promotion under reservation** unless a **law or policy** exists.

## 8. Implementation Significance in Judiciary

- Marks a step toward **inclusive representation** in India's **highest judicial administrative body**.
- Will **improve diversity** in court staff, increase **representation of marginalized communities**, and build **institutional credibility**.
- Creates a **uniform procedure** for handling future recruitments and promotions based on **constitutional principles**.

## 9. Pros and Cons of Reservation in Public Employment

Pros	Cons
Addresses <b>historical injustice</b> by giving opportunities to historically marginalized communities.	May <b>undermine meritocracy</b> if efficiency and qualification are overlooked.
Facilitates <b>upward social mobility</b> and breaks caste-based discrimination.	Can cause <b>resentment among unreserved categories</b> , seen as reverse discrimination.
Promotes <b>inclusive representation</b> in government and judiciary.	Often becomes <b>politically contentious</b> , with expansions or rollbacks becoming vote-bank issues.
Supports <b>diversity of perspectives</b> and enhances institutional fairness.	Risk of <b>perpetuating dependency</b> , with less focus on long-term empowerment.

## 10. Way Forward

- **Effective implementation** of the model roster in all public institutions.
- Regular **audits of reservation compliance** and monitoring of **backlog vacancies**.
- Combine reservations with **capacity-building programs, education support, and skill enhancement**.
- Ensure that **efficiency and representation** are balanced in public administration.
- Strengthen **data collection mechanisms** for better decision-making regarding representation and promotions.

## Conclusion

The Supreme Court's adoption of a **post-based Model Reservation Roster** based on the **R.K. Sabharwal ruling** strengthens the commitment to **constitutional values of equality, representation, and justice**. While implementation challenges exist, this structured approach is a step forward in ensuring **fair access to public employment and career progression** for SC/ST communities, while maintaining the integrity and efficiency of institutions.

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